

ORDINANCE C-96-96

AN ORDINANCE TO ACCEPT A TEMPORARY ROADWAY EASEMENT OVER RELOCATED SEEDS ROAD AND TO DECLARE AN EMERGENCY

WHEREAS, certain procedural steps need to be completed to enable Neal M. Griesenauer to file with the appropriate County Officials, his previously accepted plat per Ordinance C-14-96, to officially dedicate the Relocated Seeds Road for public use; and

WHEREAS, to open the Relocated Seeds Road for public use, prior to the recording of the above-referenced plat, it will be necessary for the City to accept a Temporary Roadway Easement; and

WHEREAS, an emergency exists for the health, safety and welfare of the community to accept the Temporary Roadway Easement, attached hereto as Exhibit "A", for purposes of opening the Relocated Seeds Road for public use.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF GROVE CITY, STATE OF OHIO, THAT:


SECTION 1. There is hereby accepted a Temporary Roadway Easement, attached hereto as Exhibit "A", for public use.


SECTION 2. The City Administrator is hereby authorized to execute, on behalf of the City, said Temporary Roadway Easement.

SECTION 3. For purposes stated in the preamble, this ordinance is hereby declared an emergency measure and shall take immediate effect.

Passed: 11-04-96
Effective: 11-04-96

Attest:


Michael Milovich, Jr., President of Council


Cheryl L. Grossman, Mayor


Tami K. Kelly, Clerk of Council

I Certify that this ordinance is correct as to form.


Thomas R. Clark, Director of Law

C-96-96
DEED OF EASEMENT

Know all men by these presents that Neal M. Griesenauer and _____, his wife, the Grantors herein, for the valuable consideration received and to be received to their full satisfaction, do hereby give, grant, bargain and convey to the City of Grove City, a municipal corporation of Ohio, the Grantee herein, a temporary right-of-way and easement, for the purpose hereinafter mentioned in the following described premises, to wit:

SEE ATTACHED PLAT MARKED "EXHIBIT A"

In consideration of the mutual covenants herein contained, the Grantors hereby give, grant and convey unto the said City of Grove City, a municipal corporation of Ohio, the right and easement to enter upon said premises and to use said relocated Seeds Road roadway for public use, together with the right to do anything that in the judgment of the proper local authorities of the City of Grove City, their successors or assigns, may be necessary or advisable, at any time, in order to maintain or operate said roadway in accordance with the ordinance, rules and regulations for the management and protection of said City of Grove City, now in force or that may hereafter to be adopted, for a temporary period, until said Grantors cause to be filed with the appropriate County officials, a plat, whereby Grantors have dedicated said relocated Seeds Road for public use. The Grantors further, in consideration of the acceptance of the easement above mentioned, by the City of Grove City, do hereby agree that any improvements constructed hereunder, including said roadway, shall upon completion, become the property of the City of Grove City, its successors or assigns.

Grantee agrees that it will indemnify Grantors and hold Grantors harmless for any and all costs, liability, and damages, including court costs and attorneys fees, arising out of the temporary use of this roadway easement and the rights granted Grantee hereunder.

It is agreed that wherever a party is named in this instrument there shall be intended and included in each case, that party, his or her heirs, administrators, their successors, and/or assigns. The said _____, wife of Grantor, hereby releases all rights of dower.

IN WITNESS WHEREOF, the undersigned have hereunto set their hands at
Grove City, Ohio, this _____ day of November, 1996.

Signed and acknowledged
in the presence of:

Neal M. Griesenauer

GRANTORS

The City of Grove City

By _____

Charles W. Boso, Jr.,
City Administrator

GRANTEE

STATE OF OHIO
COUNTY OF FRANKLIN, SS;

Before me, a Notary Public, in and for said County and State, personally appeared the above named Neal M. Griesenauer and _____, his wife, Grantors who acknowledged that they did sign the foregoing instrument and that the same is their free act and deed.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal at this
_____ day of November, 1996.

Notary Public

STATE OF OHIO
COUNTY OF FRANKLIN, SS:

Before me, a Notary Public, in and for said County and State, personally appeared the above named Charles W. Boso, Jr., City Administrator, of the City of Grove City, Grantee who acknowledged that he did sign the foregoing instrument and that the same is his free act and deed, on behalf of said City.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal at this

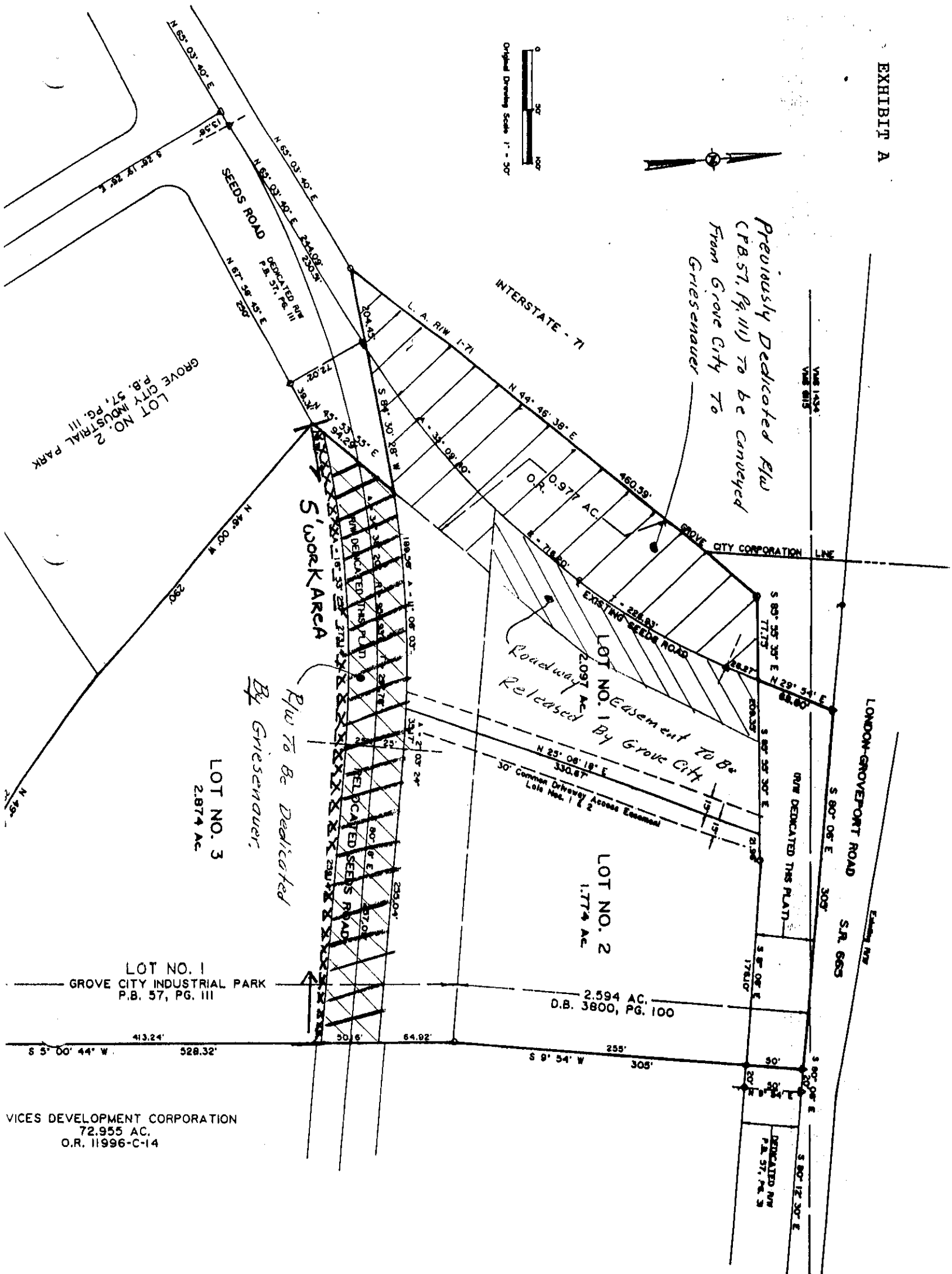
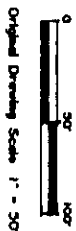
_____ day of November, 1996.

Notary Public

This instrument was prepared by:

Thomas R. Clark
Attorney at Law
3083 Columbus Street
Grove City, Ohio 43123

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STATE OF OHIO SS

IN WITNESS WHEREOF,
day of _____

I do hereby certify that performed by me or under my supervising standards.

All dimensions are shown.

Dimensions shown above iron pins are indicated by permanent markings (S, Found, Railroad, Sikes or Monuments are to be set of Ordnance.

The bearings shown on T and P.B. 57, Pg. III.

Approved this _____ 19__

Approved this _____ 3

Reviewed For The
City of Grove City Ints _____